UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1087 (1996)*
11 December 1996

RESOLUTION 1087 (1996)

Adopted by the Security Council at its 3722nd meeting,
on 11 December 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General dated 2 December 1996 (S/1996/1000),

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to full implementation by the Government of Angola and the União Nacional para a Independência Total de Angola (UNITA) of the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex) and relevant Security Council resolutions,

Reminding the Government of Angola and UNITA to uphold strictly, without delay, their obligations under the Lusaka Protocol and the commitments they entered into in Libreville and Franceville,

Underlining the need for respect for human rights, and stressing the need for the Angolan parties to give greater attention to preventing incidents of human rights abuse, investigating alleged human rights violations, and punishing those found guilty by due process of law,

Welcoming the efforts of the Secretary-General, his Special Representative and personnel of the United Nations Angola Verification Mission (UNAVEM III), the three observer States to the Angolan peace process, the Organization of African Unity (OAU), the Southern African Development Community (SADC), and the

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* Reissued for technical reasons.

international community as a whole, and encouraging them to continue their efforts to promote peace and security in Angola,

1. Welcomes the report of the Secretary-General dated 2 December 1996;

2. Expresses concern at the overall slow pace of the peace process, but notes some positive steps in its implementation;

3. Decides to extend the mandate of UNAVEM III until 28 February 1997;

4. Approves the Secretary-General's recommendation to resume withdrawal of UNAVEM III formed military units during February 1997 as set forth in paragraphs 30 through 32 of his report of 2 December 1996, with the understanding that the pace of withdrawal will be commensurate with progress achieved in the quartering areas, in demobilization and in the extension of State administration, and that the first phase of withdrawal will begin on schedule in February 1997;

5. Authorizes the Secretary-General to commence the gradual and progressive withdrawal of UNAVEM III formed military units from individual quartering areas prior to February 1997, and to accelerate the withdrawal schedule subsequently, if former combatants vacate the quartering areas in accordance with the Lusaka Protocol and other factors are conducive to withdrawal, without putting at risk the successful completion of the peace process;

6. Stresses that both parties must immediately begin to cooperate on integrating selected UNITA officers and troops into the FAA and on demobilizing those remaining in the quartering areas, and underlines the need for the Government of Angola to make available all necessary funds it has pledged and to speed up the processing of demobilization certificates and other administrative matters;

7. Reminds Member States that the need has now become urgent for the financial resources necessary to facilitate the demobilization and social reintegration of ex-combatants through the United Nations consolidated inter-agency appeal for Angola;

8. Calls upon UNITA to cooperate with the Government of Angola in its immediate task of creating integrated FAA and police units which would begin, in the spirit of the Lusaka Protocol and monitored by UNAVEM III, the gradual, orderly and peaceful extension of State administration into areas formerly occupied by UNITA;

9. Urges the Government of Angola to avoid offensive military operations which go beyond those strictly necessary for the restoration and maintenance of law and order in the areas formerly occupied by UNITA;

10. Recalls the need for the President of Angola and the President of UNITA to meet inside Angola at the earliest opportunity, and calls on both parties to move rapidly on the political steps towards national reconciliation, including the assumption by UNITA deputies and officials of their posts,

followed by establishment of a Government of National Unity and Reconciliation prior to 31 December 1996;

11. Urges the two parties to reach agreement on the special status of the President of UNITA as the President of the largest opposition party before 31 December 1996, without linkage of that issue to the formation of a Government of National Unity and Reconciliation;

12. Calls upon the President of UNITA to travel to Luanda for the creation of the Government of National Unity and Reconciliation, and thereafter to maximize the amount of time spent in Luanda in order to enhance confidence in the country's democratic institutions and the irreversibility of the peace process;

13. Welcomes the continuation of the programme for the disarmament of the civilian population by the Government of Angola, and stresses the need for its full and more effective implementation, including disarmament of the Civilian Defence Corps;

14. Reiterates its concern over the acquisition of weapons contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995, while the peace process is under way;

15. Reaffirms the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993, calls upon all States to take the necessary actions to implement the provisions of paragraphs 19 to 25 of resolution 864 (1993) vigorously and strictly, and expresses deep concern that the failure by States, especially those neighbouring Angola, to do so is inconsistent with the peace process and undermines economic recovery;

16. Demands that all parties and others concerned in Angola take all necessary measures to ensure the safety of United Nations and other international personnel and premises, including that of non-governmental organizations, and to guarantee the safety and freedom of movement of humanitarian supplies throughout the country;

17. Calls upon both parties to intensify their demining efforts, and reiterates the need for continued commitment to peace by destruction of stockpiles of landmines monitored and verified by UNAVEM III, and expresses support for various United Nations demining activities in Angola, including plans aimed at enhancing national demining capacity;

18. Urges the Government of Angola and UNITA to remove all illegal checkpoints that constitute obstacles to the free circulation of people and goods throughout the country;

19. Urges the international community to fulfil expeditiously its pledges to provide assistance to facilitate the rehabilitation and reconstruction of the Angolan national economy and the resettlement of displaced persons, and stresses the importance of such assistance at this time in order to consolidate the gains in the peace process;

20. Requests the Secretary-General to continue planning for a follow-on United Nations presence along the lines described in paragraph 33 of his report of 2 December 1996 which would include military observers, police observers, a political component, human rights monitors and a Special Representative, with the aim of maintaining a limited United Nations presence in Angola, and to report thereon no later than 10 February 1997;

21. Expresses its readiness to consider, in that context, the possibility of sending a Security Council mission to Angola before the expiry of the mandate of UNAVEM III;

22. Decides to remain actively seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1088 (1996)*
12 December 1996

RESOLUTION 1088 (1996)

Adopted by the Security Council at its 3723rd meeting,
on 12 December 1996

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995 and 1035 (1995) of 21 December 1995,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Welcoming the conclusions of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina held in Paris (the Paris Conference) on 14 November 1996 (S/1996/968), and the guiding principles of the two-year civilian consolidation plan of the peace process referred to in those conclusions,

Welcoming also the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (the London Conference) (S/1996/1012), which, following the conclusions of the Paris Conference, approved an Action Plan for the first twelve-month period of the civilian consolidation plan of the peace process,

Welcoming the progress in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex), and expressing its appreciation to the High Representative, the Commander and personnel of the multinational implementation force (IFOR), and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

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Noting with satisfaction the holding of the elections called for in Annex 3 of the Peace Agreement, and welcoming the progress in establishing the common institutions in accordance with the provisions of the Constitution of Bosnia and Herzegovina,

Underlining also the important role for the Republic of Croatia and the Federal Republic of Yugoslavia to play in the successful development of the peace process in Bosnia and Herzegovina,

Having considered the report of the Secretary-General of 9 December 1996 (S/1996/1017),

Noting the report of the High Representative of 9 December 1996 (S/1996/1024, annex),

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

I

1. Reaffirms its support for the Peace Agreement, as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex), calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under review;

2. Expresses its support for the conclusions of the Paris and London Conferences;

3. Underlines that the primary responsibility for the further successful implementation of the peace process lies with the authorities in Bosnia and Herzegovina themselves, which during the next two years should assume increasingly a greater responsibility for the functions now undertaken or coordinated by the international community, and stresses that without compliance and active participation by all the authorities in Bosnia and Herzegovina in rebuilding a civil society they cannot expect the international community and major donors to continue shouldering the political, military and economic burden of the implementation and reconstruction efforts;

4. Underlines the link, as agreed by the Presidency of Bosnia and Herzegovina in the conclusions of the Paris Conference, between the availability of international financial assistance and the degree to which all the authorities in Bosnia and Herzegovina implement the Peace Agreement, including cooperation with the International Tribunal for the Former Yugoslavia and

cooperation with the Action Plan which has been approved by the London Conference;

5. Welcomes the mutual recognition among all the successor States to the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders, and stresses the importance of full normalization of relations, including the immediate establishment of diplomatic relations, among those States;

6. Welcomes the reaffirmation by the Presidency of Bosnia and Herzegovina in the conclusions of the Paris Conference of its commitment to fully pursuing, in the name of the three constituent peoples of Bosnia and Herzegovina, the peace process, in accordance with the Peace Agreement and the sovereignty and territorial integrity of the country, including the development of a Bosnian State based on the principles of democracy and consisting of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska, and underlines in this respect the importance of establishing the remaining common institutions provided for in the Constitution of Bosnia and Herzegovina without delay, as well as the importance of the commitment by the authorities in Bosnia and Herzegovina to cooperate in the working of these institutions at all levels;

7. Reminds the parties that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

8. Recognizes that the parties have authorized the multinational force referred to in paragraph 18 below to take such actions as required, including the use of necessary force, to ensure compliance with Annex 1-A of the Peace Agreement;

9. Welcomes the agreement of the authorities in Bosnia and Herzegovina to supervision by the Organization for Security and Cooperation in Europe (OSCE) of the preparation and conduct of the municipal elections to be held in 1997, and also welcomes the decision of the OSCE to extend the mandate of its mission in Bosnia and Herzegovina to take forward its work on elections, as well as that on human rights and regional stabilization;

10. Underlines the obligation of the parties under the Peace Agreement to secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, calls upon them to cooperate fully with the work of the Human Rights Ombudsman and the Human Rights Chamber and to implement their conclusions and decisions, and calls upon the authorities in Bosnia and Herzegovina to cooperate fully with the United Nations Commission on Human Rights, the OSCE, the United Nations High Commissioner for Human Rights and other intergovernmental or regional human

rights missions or organizations to monitor closely the human rights situation in Bosnia and Herzegovina;

11. Welcomes the commitment of the parties to the right of all refugees and displaced persons freely to return to their homes of origin or to other places of their choice in Bosnia and Herzegovina in safety, notes the leading humanitarian role which has been given by the Peace Agreement to the United Nations High Commissioner for Refugees, in coordination with other agencies involved and under the authority of the Secretary-General, in assisting with the repatriation and relief of refugees and displaced persons, and stresses the importance of facilitating the return or resettlement of refugees and displaced persons which should be gradual and orderly and carried out through progressive, coordinated programmes that address the need for local security, housing and jobs, while ensuring full compliance with Annex 7 of the Peace Agreement as well as other established procedures;

12. Emphasizes the importance of the creation of conditions conducive to the reconstruction and development of Bosnia and Herzegovina, encourages Member States to provide assistance for the programme of reconstruction in that country, and welcomes in this respect the important contribution already made by the European Union, the World Bank and bilateral donors;

13. Underlines the importance of control of armaments in the region at the lowest possible level of weapons, calls upon the Bosnian parties to implement fully and without further delay the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996 and, following satisfactory progress in the implementation of the Article II and Article IV Agreements, calls for efforts to continue to promote the implementation of Article V of Annex 1-B on regional arms control of the Peace Agreement;

14. Stresses the importance it attaches to the continuation on a reinforced basis as agreed at the Paris and London Conferences of the role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of Annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make his recommendations, including to the authorities of Bosnia and Herzegovina or its Entities, and make them known publicly;

15. Reaffirms its intention to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 26 and 34 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

16. Pays tribute to those Member States who participated in the multinational force established in accordance with its resolution 1031 (1995), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational implementation force;

17. Notes the confirmations by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent Entities, and by the Republic of Croatia and the Federal Republic of Yugoslavia of the understandings set out in the letters dated 29 November 1996 from the Secretary-General of the organization referred to in Annex 1-A of the Peace Agreement (S/1996/1025);

18. Authorizes the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to establish for a planned period of 18 months a multinational stabilization force (SFOR) as the legal successor to IFOR under unified command and control in order to fulfil the role specified in Annex 1-A and Annex 2 of the Peace Agreement;

19. Authorizes the Member States acting under paragraph 18 above to take all necessary measures to effect the implementation of and to ensure compliance with Annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that Annex and shall be equally subject to such enforcement action by SFOR as may be necessary to ensure implementation of that Annex and the protection of SFOR, and takes note that the parties have consented to SFOR's taking such measures;

20. Authorizes Member States to take all necessary measures, at the request of SFOR, either in defence of SFOR or to assist the force in carrying out its mission, and recognizes the right of the force to take all necessary measures to defend itself from attack or threat of attack;

21. Authorizes the Member States acting under paragraph 18 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures, to be established by the Commander of SFOR, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

22. Requests the authorities in Bosnia and Herzegovina to cooperate with the Commander of SFOR to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on SFOR by Annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

23. Demands that the parties respect the security and freedom of movement of SFOR and other international personnel;

24. Invites all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 18 above;

25. Recalls all the agreements concerning the status of forces as referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

26. Requests the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to report to the Council, through the appropriate channels and at least at monthly intervals;

* * *

Noting the request of the authorities in Bosnia and Herzegovina that the mandate of the United Nations civilian police force known as the International Police Task Force (IPTF), which is a part of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), be renewed,

Reaffirming the legal basis in the Charter of the United Nations on which the IPTF was given its mandate in resolution 1035 (1995),

Expressing its appreciation to the personnel of UNMIBH for their contribution to the implementation of the Peace Agreement,

III

27. Decides to extend the mandate of UNMIBH, which includes the IPTF, for an additional period terminating on 21 December 1997, and also decides that the IPTF shall continue to be entrusted with the tasks set out in Annex 11 of the Peace Agreement, including the tasks referred to in the Conclusions of the London Conference and agreed by the authorities in Bosnia and Herzegovina;

28. Requests the Secretary-General to keep the Council regularly informed on the work of the IPTF and its progress in assisting the restructuring of law enforcement agencies, and to report every three months on the implementation of the mandate of UNMIBH as a whole, and, in this context, also requests the Secretary-General to report to the Council by 16 June 1997 on the IPTF, in particular its work in assisting the restructuring of law enforcement agencies, coordinating assistance in training and providing equipment, advising law enforcement agencies on guidelines on democratic policing principles with full support for human rights, and investigating or assisting with investigations into human rights abuses by law enforcement personnel, as well as to report on progress by the authorities in Bosnia and Herzegovina in regard to such issues, in particular their compliance with IPTF-prescribed guidelines including their taking prompt and effective action, which could include dismissal where appropriate, in respect of any officer notified to them by the IPTF Commissioner as failing to cooperate with the IPTF or adhere to democratic policing principles;

29. Stresses that the successful implementation of the tasks of the IPTF rests on the quality, experience and professional skills of its personnel, and urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

30. Reaffirms the responsibility of the parties to cooperate fully with, and instruct their respective responsible officials and authorities to provide their full support to, the IPTF on all relevant matters;

31. Expresses appreciation for the efforts under way to enhance and strengthen the logistical and support capabilities of UNMIBH by the Secretary-General, and urges that those efforts be increased;

32. Calls upon all concerned to ensure the closest possible coordination between the High Representative, SFOR, UNMIBH and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of IPTF personnel;

33. Encourages Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to assist the parties, through the IPTF, in following up the United Nations programme of assistance for the local police forces;

34. Also requests the Secretary-General to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the London Conference, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

35. Decides to remain seized of the matter.